

March 16, 2004 CPC



SUBSTANTIAL ACCORD REVIEW

04PD0285

First Choice

Matoaca Magisterial District
North line of Cosby Road

REQUEST: Amend Substantial Accord (Case 04PD0188) relative to storm water best management practices. Specifically, the applicant proposes to amend Condition 7 to increase the maximum phosphorous runoff limit from .22 pounds per acre per year to .45 pounds per acre per year.

PROPOSED LAND USE:

A public high school which would accommodate 1,750 students is planned.

RECOMMENDATION

Recommend approval for the following reason:

The proposed amendment to allow the development to provide for a maximum phosphorous runoff limit of .45 pounds per acre per year is consistent with the runoff limit permitted for other public school projects and area commercial development.

CONDITION

A water quality best management facility shall be constructed on-site to achieve a maximum phosphorous runoff limit of .45 pounds per acre per year or a regional BMP shall be in place through which this site shall drain into.

(Note: This Condition supercedes Condition 7 of Case 04PD0188. All other conditions of Case 04PD0188 remain applicable.)

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GENERAL INFORMATION

Project Name:

Clover Hill High School – Cosby Site

Location:

North line of Cosby Road, west of Hull Street Road. Tax ID 714-672-8470 (Sheet 15).

Existing Zoning:

Agricultural (A)

Size:

97.9 acres

Existing Land Use:

Vacant/wooded

Adjacent Zoning and Land Use:

North – A and R-9; Single family residential or vacant

South – A and I-1 with Conditional Use Planned Development; Single family residential or vacant

East – A and A with Conditional Use; Commercial or vacant

West – A; Public/Semi-public or vacant

UTILITIES

Public Water and Wastewater Systems:

The proposed amendment will have no impact on use of the public water and wastewater systems.

ENVIRONMENTAL

The Environmental Engineering Department reviewed the condition modification request letters dated February 17, 2004 and February 11, 2004. Environmental Engineering has attended several work meetings with Timmons, the consulting engineer, to brainstorm what potential design approaches, if any, could be utilized to comply with the 0.22 pounds per acre per year pollutant-removal requirement (Condition 7, Case 04PD0188). After many iterations, it was concluded that the pollutant-removal requirement of 0.22 pounds per acre per year cannot be achieved with the

Cosby school site due in part to the existing topography, limited impervious area and available Best Management Practice (BMP) technology. It is important to note that other schools (i.e., Matoaca High School) and all other commercial types of development are required to meet 0.45 pounds per acre per year, not the 0.22 pounds per acre per year requirement.

After the last meeting with the consulting engineers, slight revisions were made to eliminate several, very small BMPs and revise the design of one (1) facility to a wet-pond facility. Since the current design will achieve a phosphorus-removal requirement of greater than 0.45 pounds per acre per year, staff will support this modification request based on previous discussions and the following items:

1. The development will meet or exceed the 0.45 pounds per acre per year phosphorus-removal requirement. (Condition)
2. To address the potentially high pollutant load from the student parking area, a Bio-Retention system and Wet-Marshy Bottom pond will be installed to provide pollutant removal prior to the runoff entering West Branch Creek.
3. Anionic Polyacrylimide (PAM), an erosion control agent used to coagulate and settle out soil particles from runoff, will be incorporated into the erosion and sediment control plan as a pilot study for the Upper Swift Creek Watershed.
4. The developer will also contribute his share to the Regional BMP Program.

PUBLIC FACILITIES

The proposed amendment will have no impact on fire service and transportation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan in an area designated as Mixed Use Corridor which suggests a mixture of business and professional office uses, residential uses of varying densities and integrated commercial uses such as public and private schools are appropriate.

The Public Facilities Plan, an element of the Comprehensive Plan, provides guidance regarding anticipated needs for public facilities such as schools to best serve the County's growing population. The Plan suggests that new facility space is necessary to relieve overcrowding in the area and provide additional capacity for anticipated area development.

Area Development Trends:

Properties to the north are zoned Agricultural (A) and Residential (R-9) and are occupied by single family residential use or are vacant. Properties to the west are zoned Agricultural (A) and are occupied by public/semi-public use (Virginia Department of Transportation Office and Storage Yard) or are vacant. Properties to the south are zoned Agricultural (A) and Light Industrial (I-1) with Conditional Use Planned Development to permit light industrial and commercial uses and are occupied by single family residential use or are vacant. Properties to the east are zoned Agricultural (A) and Agricultural (A) with Conditional Use and are occupied by commercial recreational use (Oasis Sports Complex) or are vacant. It is anticipated that a mixture of office, commercial and residential use of varying densities will continue in the area, as suggested by the Plan.

Zoning History:

On November 18, 2003, the Planning Commission confirmed the Director of Planning's decision relative to Substantial Accord approval of a 97.9 acre public school site commonly known as Clover Hill High School – Cosby Site (Case 04PD0188). Conditions of this approval included recreational facility setbacks, a design which would conform to Emerging Growth District Standards, use of public water, right of way dedications and specific road improvements. Further, at the recommendation of the Clover Hill Commissioner, a condition was added requiring a water quality best management facility to be constructed on-site to achieve a maximum phosphorous runoff limit of .22 pounds per acre per year or a regional BMP to be in place through which this site shall drain.

CONCLUSIONS

The proposed amendment to allow the development to provide for a maximum phosphorous runoff limit of .45 pounds per acre per year is consistent with the runoff limit permitted for other public school projects and area commercial developments.

Given these considerations, approval of this request is recommended.

